

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE PLATINUM-BEECHWOOD LITIGATION

Master Docket No. 1:18-cv-06658-JSR

MARTIN TROTT and CHRISTOPHER SMITH,
as Joint Official Liquidators and
Foreign Representatives of
PLATINUM PARTNERS VALUE ARBITRAGE
FUND L.P. (in Official Liquidation) and
PLATINUM PARTNERS VALUE ARBITRAGE
FUND L.P. (in Official Liquidation),

Case No. 1:18-cv-10936-JSR

Plaintiffs,

-v-

PLATINUM MANAGEMENT (NY) LLC,
et al.,

Defendants.

**REPLY DECLARATION OF DONALD H. CHASE IN FURTHER SUPPORT OF THE
HUBERFELD FAMILY FOUNDATION, INC.’S MOTION FOR
SUMMARY JUDGMENT**

I, Donald H. Chase, declare as follows:

1. I am a member of Morrison Cohen LLP, counsel for defendant Huberfeld Family Foundation, Inc. (“HFF”) in the above-captioned consolidated action. Unless otherwise specified, I have personal knowledge of the facts set forth below.

2. I submit this declaration in further support of HFF’s motion, pursuant to Fed. R. Civ. P. 56, for summary judgment dismissing the Second Amended Complaint as against HFF in the action styled *Martin Trott and Christopher Smith, as Joint Official Liquidators and Foreign Representatives of Platinum Partners Value Arbitrage Fund L.P. (in Official Liquidation) v. Platinum Management (NY) LLC, et al.*, Case No. 18-cv-10936 (JSR) (the “Trott Action”).

3. Attached hereto as Exhibit 1 are excerpts from the true and correct transcript of the December 10, 2019 deposition of Bernard Fuchs.

4. Attached hereto as Exhibit 2 are excerpts from the true and correct transcript of the December 5, 2019 deposition of the Huberfeld Family Foundation, Inc.

5. Attached hereto as Exhibit 3 are excerpts from the true and correct transcript of the December 19, 2019 deposition of Aaron Elbogen.

6. Attached hereto as Exhibit 4 are excerpts from the true and correct transcript of the November 25, 2019 deposition of Murray Huberfeld.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 17, 2020

/s/ Donald H. Chase
Donald H. Chase